



FULL DAY/ MULTIPLE DAY, FAST TRACK HEARING PROCESSES

The Full Day/Multiple Day Hearing Process allows parties to request that their case be initially set for a full day or for multiple consecutive days. The Fast Track Hearing Process allows parties who are anxious for a quick hearing and decision on their appeal to request an expedited, quick set hearing before an State Personnel Board Administrative Law Judge (ALJ) that will result in an expedited decision in the case.

Full Day/Multiple Day Hearing Setting Process

The Appeals Division's (Calendar Unit) will schedule evidentiary hearings for one full day or for 2 consecutive days (and up to 4 days within a 2 week block of time with the consent of the Calendar ALJ or Chief ALJ) upon the timely request of a party.

To request a full day hearing or 2-4 day initial setting, the requesting party will be responsible to do the following:

- Within 15 calendar days of the date of the Acknowledgment Letter, the requesting party must file a request for a full day or multiple day initial setting on the enclosed Fax Sheet for Special Setting Request form.
- **The request must include a declaration that either the other party, or their representative, was contacted or a good faith attempt was made to reach and confer with the other side as to the number of days necessary for the hearing and as to dates of unavailability.**

The State Personnel Board will commit to:

- Honor the party's request for one full day or for 2 consecutive days, which request can be automatically granted by the Calendar Unit. A request for an initial setting of up to 4 days will be reviewed by our Chief ALJ or our Calendar ALJ and granted if the ALJ agrees that more than 2 days are warranted. In such a case, the hearing will be set in 2 consecutive weeks, up to 2 days each week.
- Provide the ALJ assigned to the case with current calendar information so that the assigned ALJ can grant further additional days, once the first day of hearing has been completed.
- Within two business days, sending out a Calendar Fax to all parties with proposed hearing dates in response to the request. The proposed hearing dates will typically be 8-10 weeks away (as in current practice) to give both sides sufficient time to prepare (and retain counsel if necessary).
- Giving both sides 5 business days to reject the proposed hearing dates. If a party rejects the proposed hearing dates, that party will be responsible for contacting the other party to obtain alternative dates that are mutually acceptable. If no party rejects the hearing dates, a Notice of Hearing will be issued with the notation that this is a multiple-day setting approved by both parties and that no continuances will be granted, except for extremely good cause.

See Reverse

Fast Track Hearing Process

The Appeals Division (Calendar Unit) will schedule a hearing within 2-4 weeks (scheduling to depend on parties' availability) of a mutual request of the parties, the ALJ will render a proposed decision within 10 working days and that decision will be submitted to the State Personnel Board as soon as legally possible.

To initiate the fast track hearing process, the parties will have to complete and return a Request for Fast Track Hearing form on the enclosed Fax Sheet for Special Setting Request and will have to agree upon the conditions set forth in the form.

In order for this process to work, the parties will have to agree:

- They can present their side of the case within ½ day and that the entire hearing can be completed within 1 day based on the limited number of witnesses and limited number of incidents.
- To submit a list of dates they are not available.
- To submit an estimated amount of time necessary to present their side of the case.
- To have the hearing in Sacramento.
- To a time frame for setting the hearing, no sooner than 2 weeks nor later than 4 weeks, after the Board receives the mutual request.

The State Personnel Board will commit to:

- Honor the parties' mutual request for a hearing date within 2-4 weeks.
- Provide a full hearing day for the case if necessary for resolution of the case.
- Assign one of the following full-time ALJs, on a rotating basis, to hearing the case in one day: Christine Bologna, Barbara Brecher, Shawn Cloughesy or Kymberly Pipkin.
- Modify the hearing calendar to allow at least one fast track hearing each week, with mutual requests being scheduled on a first-come, first served, basis.
- Render a State Personnel Board decision no later than 30 calendar days from the date of hearing.

Calendar Unit Telephone numbers:	(916) 654-6417 or (916) 653-5505
Fax number:	(916) 651-8949
TDD number:	(916) 654-2360

FAX Sheet
Special Setting Request
Request for Expedited Hearing

FAX this request to the State Personnel Board Calendaring Unit at (916) 651-8949 within 15 calendar days of receipt of the enclosed acknowledgment letter. Failure to FAX this to the Calendaring Unit within 15 days will result in your case being set for a half day. Calendaring Unit telephone numbers are (916) 654-6417 or 653-5505.

Today's date: _____

Case Number:

Parties to the Appeal (Specify requesting party):

Days Requested:

First choice: _____

Second choice: _____

- ☐ Option: One day initial set with subsequent days set by the ALJ and parties at the conclusion of the first day of hearing.
- ☐ Option: Multiple day initial set with subsequent days set by the ALJ and parties at the conclusion of the last day of hearing (initial set).
- ☐ Option: Fast Track Hearing (within 2-4 weeks); provide information required in the attached set of instructions. (Use a second page if necessary)

Parties agree to the following:

- (1) They can present their side of the case within a half-day and that the entire hearing can be completed within 1 day based on the limited number of witnesses and limited number of incidents.
- (2) To provide a list of dates they are not available.
- (3) To submit an estimated amount of time necessary to present their side of the case.
- (4) To have the hearing in Sacramento.
- (5) To a time frame for setting the hearing, no sooner than 2 weeks nor later than 4 weeks, after the Board receives the mutual request.

I certify that I or my representative contacted or made a good faith attempt to contact the other side regarding the number of days necessary for the hearing and dates of availability.

(Signature) _____